



Express Mail Label No.: EV695511330US

Date of Deposit: November 21, 2005

Attorney Docket No. 25627-501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Li

SERIAL NUMBER: 10/622,854

EXAMINER: Amy A. Lewis

FILING DATE: July 17, 2003

ART UNIT: 1614

FOR: Activated Checkpoint Therapy and Methods of Use Thereof

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION OF SPECIES

In response to the October 3, 2005 Restriction Requirement in the above-identified application, Applicants elect Group II, Claims 1-54, drawn to a method of treating cancer comprising administering a modulator of cell cycle checkpoint activation to a subject in need thereof, classified in class 514, subclasses 454 or 437.

The Restriction Requirement also requires the election of species. Applicants elect 3,4-dihydro-4,4-dimethyl-2H-naphtho[1,2-b]thiopyran-5,6-dione in group A. Applicants elect E2F1 in group B. Claims 1-54 read on the elected species.

Applicants respectfully note that the election of species is made for the purpose of examination of the claims only and that Applicants maintain the right to have the full scope of the claims, as written, examined on the merits. Further, Applicants respectfully reserve the right to prosecute the non-elected claims and species in a continuation or divisional application and also respectfully reserve the right to traverse the Examiner's requirement of a restriction/election in a future response to the U.S. Patent and Trademark Office.

A petition for a one-month extension of time and the appropriate fee accompany this response. With the extension, this response is due on or before December 3, 2005. Applicants believe no additional fees are due with this submission, however, should any fee be due, the Commissioner is hereby authorized to charge the fee, or credit any overpayment, to Deposit Account No. 50-0311 (Reference No. 25627-501).

Respectfully submitted,



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Dated: November 21, 2005

TRA 2091431v.1